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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/792,224	03/02/2004	Sung-Pi Lu	2031002	4779

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EXAMINER

AYRES, TIMOTHY MICHAEL

ART UNIT	PAPER NUMBER
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3637

DATE MAILED: 04/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/792,224	Applicant(s) LU ET AL.	
	Examiner Timothy M. Ayres	Art Unit 3637	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

This is a first office action on the merits of application SN 10/792,224.

Priority

1. Acknowledgment is made of applicant's claim for foreign priority based on an application filed in Taiwan on 8/06/2003. It is noted, however, that applicant has not filed a certified copy of the Taiwanese 092121477 application as required by 35 U.S.C. 119(b).

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention

3. Claim 10 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. It is unclear as to how the hub box is mounted in a cavity formed in a vertical support plate when it appears that the hub box is mounted in a cavity formed in the horizontal plate assembly. It is also unclear as to how the cavity is formed so that structure intensity of the vertical support plate is intensified.

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4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claim 10 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

6. Regarding claim 10, the phrase "such that" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention or is just a functional recitation. See MPEP § 2173.05(d).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

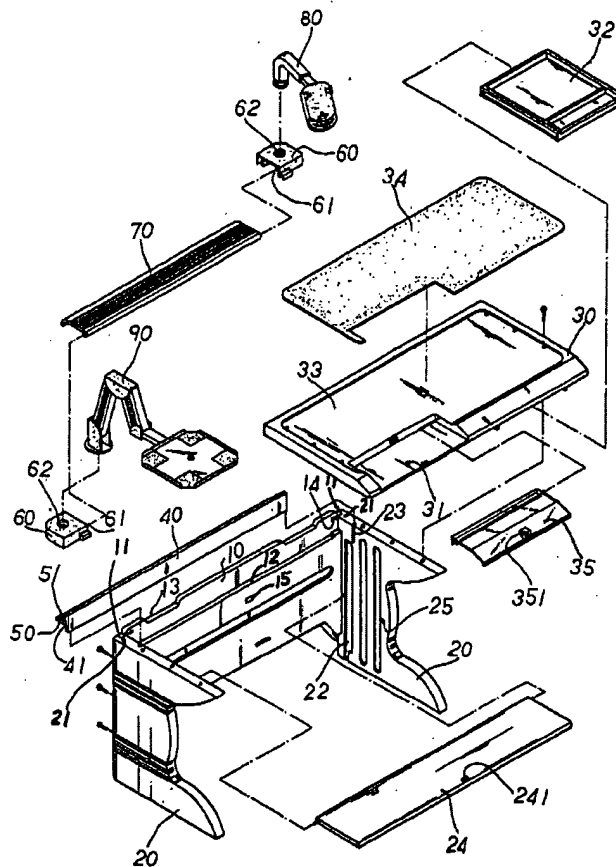
8. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

9. Claims 1 and 2 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 5,568,773 to Hung in view of US Patent 6,488,346 to Chen. Hung teaches a

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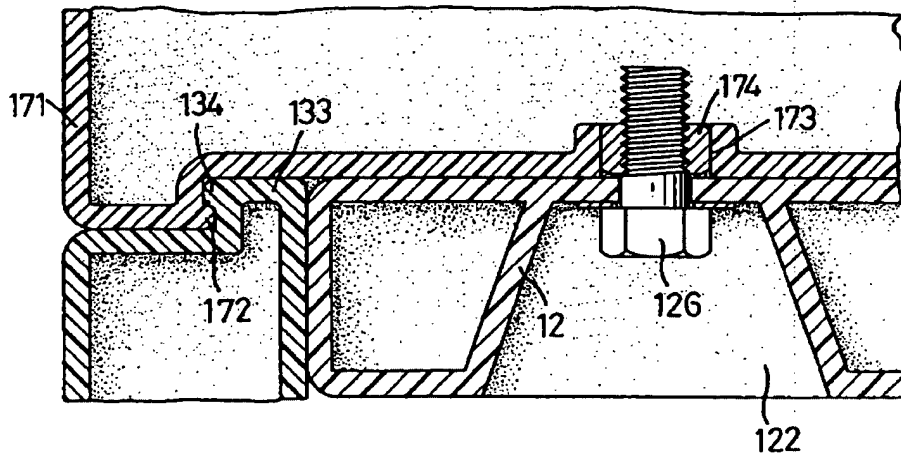
multi-purpose table comprising two vertical support plates. Hung is silent to materials in the disclosure. A top plate (30) is connected to the vertical support plates (20) with screws and has an electronic apparatus placed on as seen in figure 4. A horizontal plate assembly (10) is connected to the vertical support plates (20) via a plurality of screws. The horizontal plate assembly (10) has a channel formed from a partitioning board (40) to allow for wires. A keyboard support (31) supports a keyboard as seen in figure 4 and is connected to the vertical support plates (20) via the top plate (30). A drawer (32) is disposed between the vertical support plates (20) and attached to the top plate (30).



Hung '773 Figure 1

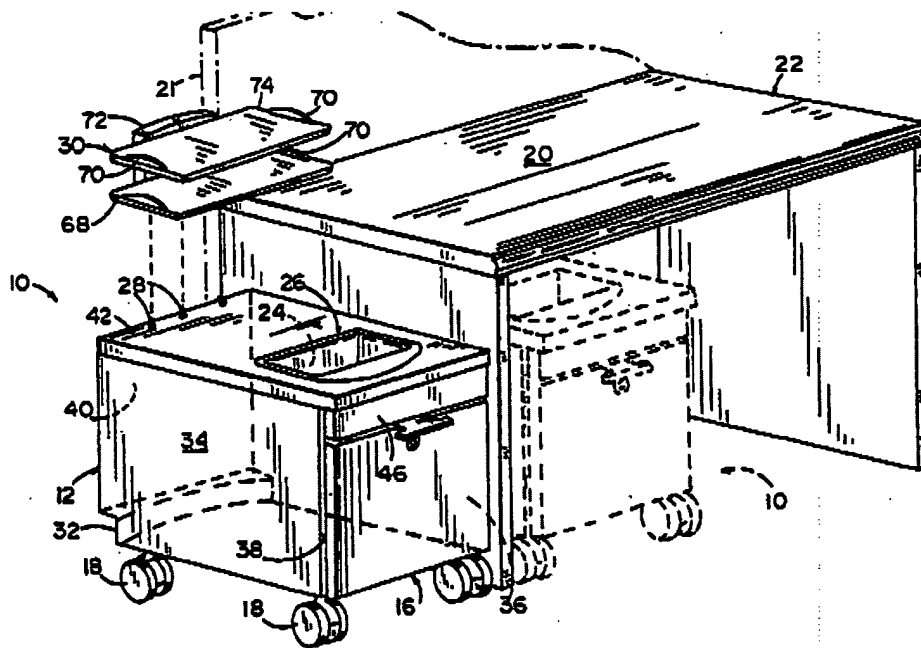
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10. Hung does not disclose expressly the vertical support plates, top plate, and horizontal plate assembly made hollow and formed of blow molded plastic material and the top plate and the horizontal plate connected to the vertical support plates with screws and embedded nuts. Chen teaches a multi-purpose table (10) that has plates (17, 12, 11, 13, 14) made hollow and formed by plastics material as implied by the cavities and shapes of the details seen in figure 5 and 6. The claim is a product by process claim. The product itself does not depend on the process of making it. The product-by-process limitation "blow molding" would not be expected to impart distinctive structural characteristics to the device/apparatus. Blow molding plastic is well known and although not disclosed it is implied to be the process that made the plates (12, 17, 11) in figures 5 and 6. The plates (12, 17, 11) are attached together via a bolt (126) screwing into a nut (174). The nut is embedded in a hole (173) in the top plate (17). At the time of the invention it would have been obvious for a person of ordinary skill in the art to modify the table of Hung by making it out of plastic and having the screws attach to embedded nuts as taught by Chen so that the table is lighter and since it is common to use nuts when a material such a wood or plastic is too soft to thread a hole.



Chen '346 Figure 5

11. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 5,568,773 to Hung in view of US Patent 6,488,346 to Chen as applied to claim 1 above, and further in view of US Patent 5,205,629 to Simmons. Hung in view of Chen discloses every element as claimed and discussed above except a drawer cabinet with a drawer disposed between the vertical support plates. Simmons teaches a mobile drawer cabinet (10) with a drawer (16) used to store files. The drawer cabinet (10) is disposed between the vertical support plates of the workstation (22) and comprises a tray (26) to store other smaller objects as seen in figure 1. At the time of the invention it would have been obvious for a person of ordinary skill in the art to modify the table of Hung in view of Chen by adding the drawer cabinet as taught by Simmons so that files or other objects can be stored near the table.



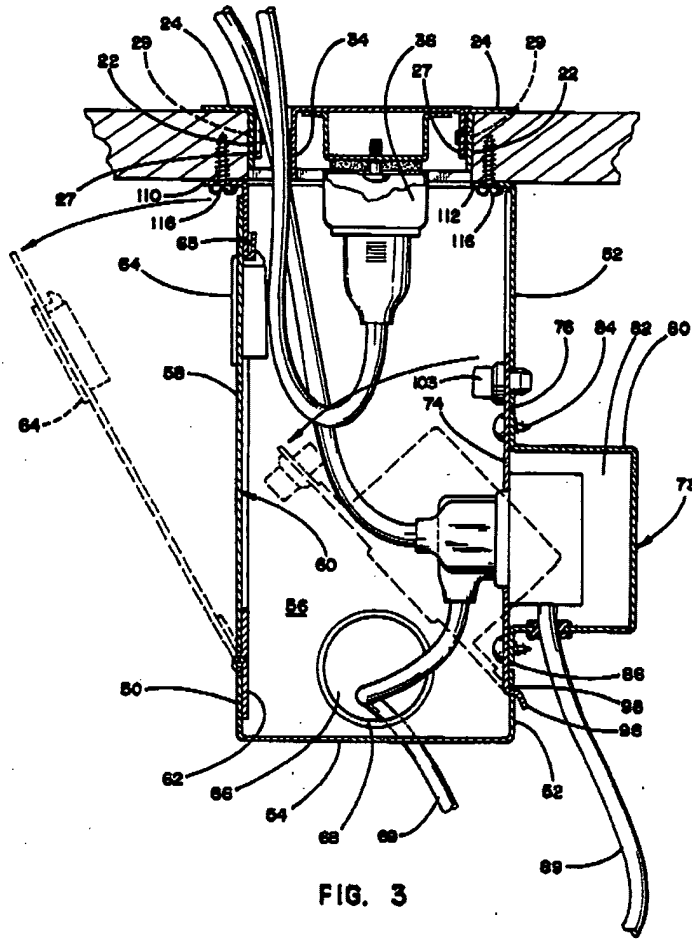
Simmons '629 Figure 1

12. Claims 4-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 5,568,773 to Hung in view of US Patent 6,488,346 to Chen as applied to claims 1-3 above, and further in view of US Patent 5,231,562 to Pierce. Hung in view of Chen discloses every element as claimed and discussed above except a hub box for electrically connecting the electronic apparatus, the hub box mounted to and in a cavity on the horizontal plate assembly, the hub box comprising a power line port, a signal line port, and a power switch, and the table comprising an adapter electrically connected to the hub box. Pierce teaches a table with a hub box mounted to and in a cavity on the horizontal plate assembly. The hub box (73, 90) has a power line port (91) and a signal line port (99) that is used for telephones. The hub box (73, 90) has a power switch (91) to selectively connect the alternate current power source (89). The horizontal plate

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assembly (52) has a channel (56) formed by a partition (58) to allow for wires. At the time of the invention it would have been obvious for a person of ordinary skill in the art to modify the table of Hung in view of Chen by adding a hub box to the horizontal plate assembly as taught by Pierce so that the wire management system (hub box) is adaptable to a wide range of desktop electronic apparatuses (Pierce '562, Col 1, lines 21-35).

13. Regarding claims 8 and 12, the office takes official notice that adapters to convert alternate current into direct current are well known and very common with computer accessories such as printers, scanner, speakers, etc. Therefore it would have been obvious for a person of ordinary skill in the art to connect an adapter to the hub box of Hung in view of Chen and Pierce to power a computer accessory.



Pierce '562 Figure 3

Conclusion

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US Patents to Hellwig, Hamlin, Chen '615, Kopish, Ellman, Hayward, Redlich, Cheng, Brownlie, Miller, Suzuki, Gross, Wilson, and Japanese patent to Kaneda all teach elements substantially as disclosed and claimed.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Timothy M. Ayres whose telephone number is (571) 272-8299. The examiner can normally be reached on MON-THU 8:00 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lanna Mai can be reached on (571) 272-6867. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TMA
4/3/06



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